

Ordinance No. 09-132

AN ORDINANCE AMENDING SECTIONS 101 (DEFINITIONS) AND 104 (OPERATION OF TRUCKS) OF ARTICLE 21 (TRUCK ROUTES) OF CHAPTER 10 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO TRUCK ROUTE ZONES

The above entitled ordinance was finally passed, adopted and approved on second reading at a regular meeting of the City Council held on November 24, 2009. The ordinance is available for public inspection and acquisition at the office of the City Clerk, 30 South Nevada Avenue, Colorado Springs, Colorado 80903.

The following is a summary of the above named Ordinance:

Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, are hereby amended relating to 10.21.101: Definitions and 10.21.104: Operation of Trucks.

Kathryn M. Young, CMC/CERA
City Clerk

Publication date: November 27, 2009

ORDINANCE NO. 09-_____

AN ORDINANCE AMENDING SECTIONS 101 (DEFINITIONS) AND 104 (OPERATION OF TRUCKS) OF ARTICLE 21 (TRUCK ROUTES) OF CHAPTER 10 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO TRUCK ROUTE ZONES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, are hereby amended to read as follows:

10.21.101: DEFINITIONS

DESIGNATED TRUCK ROUTE: A street or roadway designated by the Traffic Engineer ~~from~~ upon which through travel by trucks is permitted.

RESTRICTED ROUTE: A street or roadway ~~from~~ upon which travel is limited to vehicles or loads of certain weight or size.

TRUCK ROUTE ZONE: The area contained within the perimeter created by the closest continuous truck routes as set forth on the City's truck route map. In areas not completely enclosed by truck routes, the truck route zone shall be the area contained within the perimeter created by the combination of the closest continuous truck routes and the City corporate limits, as set forth on the City's truck route map.

10.21.104: OPERATION OF TRUCKS:

B. Upon the designation of truck routes, it shall be unlawful for any person to operate or cause to be operated a truck upon any other street, highway or other public way. Trucks may deviate from truck routes while traveling to or from a truck terminal, garage, place of repair, place of performing a service or place of loading or unloading, and may proceed from a destination not located upon a truck route to another

~~destination without returning to a truck route is to so return would unreasonably increase the distance to be traveled between destinations.~~

When traveling to a destination located within a truck route zone, a truck shall take the shortest direct travel path from any point along the perimeter truck routes to the destination. Subsequent trips from that destination either back to the truck route system or to other destinations within the same truck route zone shall be made from destination to destination or from destination to the truck route system by the shortest direct route.

C. Any person operating a truck upon all or any portion of a street, highway, public way or roadway that is not a truck route, or upon a prohibited route, shall have in the person's possession a log book, **manifest**, delivery slip or other evidence of the point of origin and destination to justify the presence of the vehicle upon the route. Failure to produce evidence upon request of a police officer shall be unlawful.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the Office of the City Clerk.

Introduced, read, and passed on first reading and ordered published this _____ day of _____, 2009.

MAYOR

ATTEST:

CITY CLERK



FORMAL AGENDA ITEM

COUNCIL MEETING DATE: November 10, 2009

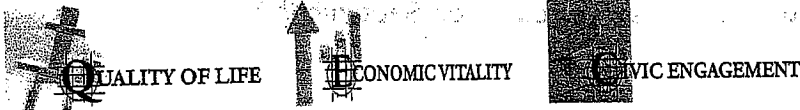
TO: Honorable Mayor and Members of City Council

VIA: Penelope Culbreth-Graft, DPA - City Manager

FROM: Nancy Johnson, Assistant City Manager
Lisa Bigelow, Economic Development Director
Craig Blewitt, Comprehensive Planning Manager *CB*
Gaye Smith, Transportation Planning Analyst *JS*

Subject: **Ordinances to Amend the City Code Regarding Vehicle Noise Limits and Operation of Trucks**

Strategic Goals this item supports:



SUMMARY: The Citizens' Transportation Advisory Board (CTAB) and its Trucking Issues Subcommittee (TISC) completed their recommendations for changes to the City's truck route network and truck operations regulations and presented those recommendations to Council on September 22, 2009. These changes require amendments to City Code 9.8.201: Vehicle Noise Limits, and City Code Sections 10.21.101 and 10.21.104: Operation of Trucks. Ordinances to accomplish the amendments to the City Code are being presented to Council for adoption.

PREVIOUS COUNCIL ACTION: The Citizens' Transportation Advisory Board was created by Ordinance 02-101 on June 11, 2002 to advise City Council and City administration on matters relating to the City's multi-modal transportation system. City Council approved the creation of the Trucking Issues Subcommittee as an ad hoc subcommittee of CTAB on March 25, 2003.

At the September 22, 2009 Council meeting, CTAB Chairperson Jane Dillon presented the Board's proposed recommendations to amend the Freight/Truck Element of the Intermodal Transportation Plan (Master Plan) and City Code, as follows:

1. Revise the Truck Route Plan map in the Intermodal Transportation Plan as presented to Council.
2. Include the Commercial Vehicle Enforcement Process as a recommendation in Section 5.5 of the Intermodal Transportation Plan.
3. Include the Mitigation of Truck Traffic on Truck Routes as a recommendation in Section 5.5 of the Intermodal Transportation Plan.

4. Identify the lack of commercial vehicle truck parking facilities for long haul truckers as a potential community issue in Section 5.5 of the Intermodal Transportation Plan.
5. Revise City Code Section 9.8.201: Vehicle Noise Limits, to prohibit the use of Air Compression Brakes within City limits, unless otherwise posted by the City Traffic Engineer.
6. Revise the City Code Sections 10.21.101 and 10.21.104, Operation of Trucks, to allow more direct travel from a designated truck route to a destination not located on a truck route.

Council accepted all of CTAB's recommendations and approved the Ordinance Amending the Intermodal Transportation Plan by a vote of 5 to 3. Staff proposed to return to Council with the ordinances to amend City Code.

BACKGROUND: The Intermodal Transportation Plan is a citywide master plan that guides policy and decision making with respect to serving the existing and long-term future transportation needs of the community. Additionally, its purpose is to carry out the goals of the City's Comprehensive Plan and Strategic Plan. City Council adopted the ITP by Ordinance 01-58 on March 27, 2001. The amendment to the ITP approved by City Council on September 22, 2009 includes the recommendations to revise the City Code to prohibit the use of air compression brakes within City limits, unless otherwise posted by the City Traffic Engineer, and to revise City Code to allow more direct travel from a designated truck route to a destination not located on a truck route. This is a request to make these revisions to the City Code.

FINANCIAL IMPLICATIONS: N/A

BOARD/COMMISSION RECOMMENDATION: N/A

ALTERNATIVES: N/A

RECOMMENDATION: Approve the attached ordinances, which carry out the recommendations of the Citizens' Transportation Advisory Board that were approved by Council on September 22, 2009.

PROPOSED MOTIONS:

- A. Move to adopt the Ordinance Amending Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution – Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Air Compression Brakes.
- B. Move to adopt the Ordinance Amending Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Truck Route Zones.

c: Dave Krauth, City Traffic Engineer
 Sue Skiffington-Blumberg, Public Communications Manager
 Lt. Vince Niski, CSPD
 Jane Dillon, Chairperson, Citizens' Transportation Advisory Board
 David Munger, Chairperson, Trucking Issues Subcommittee

List of attachments for this item:

- A. An Ordinance Amending Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution – Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Air Compression Brakes
- B. An Ordinance Amending Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Truck Route Zones